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2:16-CR-112-APG-NJK

ORDER AUTHORIZING

DISCLOSURE OF GRAND JURY
INFORMATION AND TAX RETURN
INFORMATION; AND PROTECTIVE
ORDER

DEFENDANT.

IT IS HEREBY ORDERED that plaintiff United States of America is authorized to disclose to defendant and her counsel, copies of the grand jury testimony of witnesses who the government may call at trial and other documents which may be considered matters occurring before the grand jury. This Order is being entered to facilitate the

1 government's compliance with its discovery obligations, including the disclosure
2 provisions of the Jencks Act, 18 U.S.C. § 3500; Rule 16 of the Federal Rules of Criminal
3 Procedure; Brady v. Maryland, 373 U.S. 83 (1963), and United States v. Giglio, 405 U.S.
4 150 (1972).

5 IT IS FURTHER ORDERED that the United States of America is authorized to
6 disclose to the individuals whom the government determines that it may be calling as
7 witnesses in its case-in-chief, and their counsel, the grand jury testimony of that
8 individual. This order is being entered based on this Court's finding that such
9 disclosure is reasonably necessary, in the interests of justice and does not significantly
10 compromise the imperative of grand jury secrecy.

11 IT IS FURTHER ORDERED that any copies of the grand jury testimony
12 provided pursuant to this Order, and any reproductions or copies made of the produced
13 copy, shall be returned to the government at the conclusion of the proceedings in this
14 case.

15 IT IS FURTHER ORDERED, pursuant to 26 U.S.C. § 6103(h)(4), and based on
16 the unopposed motion of the government, that the government is authorized to disclose to
17 defendant and her counsel tax returns, tax return information, and taxpayer return
18 information as defined in 26 U.S.C. § 6103(b) pertaining to the defendant, and any
19 other tax returns or return information provided by the government pursuant to its
20 discovery obligations.

21 PROTECTIVE ORDER

22 The government represents to this Court that it intends to produce documents
23 that include, among other things, grand jury information and tax information described
24 in its unopposed motion and above, and other non-public information such as: (i)
25 personal identifiers of non-parties (e.g. social security numbers, addresses, dates of
26 birth); (ii) memoranda of interview of potential witnesses; (iii) financial information of

1 individuals and businesses, including bank records; and (v) information about
2 individuals who were involved in the defendant's business and tax return preparation
3 who have not been charged with any wrongdoing (collectively, the "Discovery
4 Material"). The government also represents to the Court that counsel for the defendant
5 does not object to the entry of a protective order.

6 Accordingly,

7 **IT IS FURTHER ORDERED THAT**

8 1. The Discovery Material produced by the government may be used by the
9 defendant, the defendant's counsel and any employees or agents of defendant's counsel
10 solely in the defense of this case.

11 2. Defendants' counsel and the defendant shall not disclose the Discovery
12 Material directly or indirectly to any person except those assisting the defense, persons
13 who are interviewed as witnesses, and potential experts (collectively, "authorized
14 persons") during the course of the investigation and defense of this case.

15 3. The Discovery Material produced by the government shall not be copied
16 or reproduced unless they are copied or reproduced for authorized persons to assist in
17 the defense of this case, and in that event, the copies shall be treated in the same
18 manner as the original material.

19 4. When providing the Discovery Material to an authorized person, the
20 defendant's counsel must inform the authorized person that the Discovery Material is
21 provided subject to the terms of this Protective Order and that the authorized person
22 must comply with the terms of this Protective Order.

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1 IT IS FURTHER ORDERED THAT upon the final disposition of this case, the
2 defendant and her counsel shall return to the government all Discovery Material to the
3 government as so requested by the government.

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5 IT IS SO ORDERED.

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7 DATED: May 24, 2016

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9 NANCY J. KOPPE
10 UNITED STATES MAGISTRATE JUDGE
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